

The following list of claims replaces any prior listing of claims:

1. (currently amended): A communication path setting method of setting a communication path between a first telephone terminal system connected to a packet network and a second telephone terminal system connected to a circuit switching network and said circuit switching network, wherein said packet network and said circuit switching network are connected through a gateway device which performs predetermined signal conversion,

said second telephone terminal system being provided with a first port connected to said packet network for performing conversion between voice band signals and packet signals, and a second port connected to said circuit switching network for transmitting and receiving voice band signals, said first port is configured to pass voice band signals to said circuit switching network by bypassing when said first port is not working, said communication path setting method comprising:

a step (A) in which said first control device receives a connection request for connecting said second telephone terminal system from said first telephone terminal system;

a step (B) in which said first control device transmits said connection request to said second control device through said packet network;

a step (C) in which said second control device determines whether or not said first port is operating in response to said connection request; and

a step (D) in which, when it is determined in said step (C) that said first port is not operating, said second control device sets said communication path through said packet network, said circuit switching network and said second port by the use of said gateway device;

a step (E) in which said first control device determines, through said packet network, whether or not said second control device is operating in response to said connection request; and

a step (F) in which, when it is determined in said step (E) that said second control device is not operating, said first control device sets said communication path through said packet network, said circuit switching network and said second port by the use of said gateway device;

and

wherein said second control device sets, in said step (D), said communication path by the use of said gateway device which is associated with said second control device; and

wherein said first control device sets, in said step (F), said communication path by the use of said gateway device which is associated with said first control device.

2-4. (canceled).

5. (original) The communication path setting method as claimed in claim 1 further comprising a step of notifying to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.

6. (currently amended) A communication path setting system that sets a communication path between a first telephone terminal system connected to a packet network and a second telephone terminal system connected to a circuit switching network and said circuit switching network, wherein said packet network and said circuit switching network are connected through a gateway device which performs predetermined signal conversion,

said second telephone terminal system is provided with a first port connected to said packet network for performing conversion between voice band signals and a packet signals, and a second port connected to said circuit switching network for transmitting and receiving voice band signals,

said first port is configured to pass voice band signals to said circuit switching network by bypassing when said first port is not working,

said first control device comprising:

a receiving unit that receives a connection request for connecting said second telephone terminal system from said first telephone terminal system; and

a request transmitting unit that transmitting transmits said connection request to said second control device through said packet network,

a second determination unit that determines, through said packet network, whether or not said second control device is operating in response to said connection request; and

a second setting unit that sets said communication path through said packet network, said circuit switching network and said second port by the use of said gateway device when said second determination unit determines that said second control device is not operating,

said second control device comprising:

a first determination unit that determines whether or not said first port is operating in response to said connection request; and

a first setting unit that sets said communication path through said packet network, said circuit switching network and said second port by the use of said gateway device when said first determination unit determines that said first port is not operating and wherein said first setting unit sets said communication path by the use of said gateway device which is associated with said second control device; and

wherein said second setting unit sets said communication path by the use of said gateway device which is associated with said first control device.

7-9. (canceled).

10. (original) The communication path setting system as claimed in claim 6 further comprising a notification unit that notifies to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.

11. (currently amended) The communication path setting method as claimed in claim [[2]] 1 further comprising a step of notifying to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.

12. (currently amended) The communication path setting method as claimed in claim [[3]] 1 further comprising a step of notifying to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.

13. (currently amended) The communication path setting method as claimed in claim [[4]] 1 further comprising a step of notifying to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.

14. (currently amended) The communication path setting system as claimed in claim [[7]] 6 further comprising a notification unit that notifies to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.

15. (currently amended) The communication path setting system as claimed in claim [[8]] 6 further comprising a notification unit that notifies to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.

16. (currently amended) The communication path setting system as claimed in claim [[9]] 6 further comprising a notification unit that notifies to said first telephone terminal system whether said packet network alone or both said packet network and said circuit switching network is used as a route through which said communication path is set.